IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

RSA No. 137 of 2006.

Date of decision: 19.12.2006.

Sohanu ….. **Appellant.**

Vs.

Smt. Deopati Devi & ors. …. **Respondents.**

Coram

The Hon'ble Mr. Justice Surjit Singh, Judge.

Whether approved for reporting?[1]

For the Appellant : Mr. Rakesh Jaswal, Advocate.

For the Respondents : Mr. N.K.Sharma, Advocate.

Surjit Singh, Judge (Oral).

Heard and gone through the record.

2. Appellant- plaintiff filed a suit against the respondents-defendants, seeking grant of permanent prohibitory injunction restraining them from causing any interference in his land measuring 9 Bighas 13 Biswas, situate in village Bhanjwani, Pargna Tiun, Tehsil Ghumarwin, District Bilaspur. He claimed that he was owner in possession of the above described land, but the respondents-defendants without any right title or interest were threatening to interfere in his possession.

3. The respondents-defendants denied that they had ever interfered with the possession of the plaintiff or had any intention of causing any interference. They did not deny the ownership and possession of the plaintiff qua the suit land. Trial court on the

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Whether the reporters of the local papers may be allowed to see the Judgment?

conclusion of the trial, found that there was no threat of interference and accordingly dismissed the suit. Appeal filed by the appellant-plaintiff in the court of District Judge, also stands dismissed.

4. The two courts below have given concurrent finding that the respondents- defendants are not throwing any threats of causing any interference in the possession of the appellant- plaintiff. This is a finding of fact pure and simple. No substantial question of law arises. Hence, the appeal is dismissed.

December 19, 2006. **(Surjit Singh)**
(*Hem*) **Judge.**